

PROB 12C
(7/93)

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

Report Date: March 31, 2011
FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MAR 31 2011

**JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON**

Name of Offender: Jeffrey Michael Ochoa

Case Number: 2:06CR02023-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable William Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 9/6/2006

Original Offense: Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 30 Months; TSR - 36 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Gregory M. Shogren

Date Supervision Commenced: 12/13/2010

Defense Attorney: Alex B. Hernandez, III

Date Supervision Expires: 10/8/2012

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 3/18/2011.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 5 **Mandatory Condition # 5:** The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

Supporting Evidence: Jeffrey Ochoa was arrested by the U.S. Marshals for his supervision violation warrant on March 22, 2011. With the assistance of a confidential source, the U.S. Marshals located the defendant at 1312 Prasch Avenue in Yakima, Washington. He was staying in a bedroom with his girlfriend, Leiha Zimmer. The owner of the residence, James Allen, consented to a search of the room. Located under the bed Mr. Ochoa had previously been laying on, officers located a loaded Taurus .357 Magnum firearm. The defendant was read his Miranda Rights and initially denied the firearm was his, but later admitted to officers that he had obtained the gun from a friend, DJ Zyph, for protection as he was planning to sell drugs again. Mr. Ochoa denied that he actually began selling drugs as planned, but maintained possession of the gun. Federal charges for possession of a firearm are pending.

- 6 **Standard Condition # 9:** The defendant shall not associate with any persons engaged in criminal activity, and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer.

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Supporting Evidence: As mentioned in violation 5, the defendant was located in Yakima, Washington, with his girlfriend, Leiha Zimmer (date of birth 11/8/78). They were staying with a friend, James Allen. Ms. Zimmer advised officers she was a convicted felon. A review of her felony convictions include bail jumping, second degree perjury, second degree theft, second degree assault, taking a motor vehicle without permission and possession of a controlled substance. She also advised officers that she and the defendant had been consuming methamphetamine earlier that day.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 03/31/2011

s/SanJuanita B. Coronado

SanJuanita B Coronado
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other



Signature of Judicial Officer

3/31/11

Date